

Notice of Allowability

Application No.

10/038,613

Examiner

Qutub Ghulamali

Applicant(s)

IWATA ET AL.

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2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/18/2006.
2. ☒ The allowed claim(s) is/are 7-8 and 10-12 which are now renumbered as claims 1-2 and 3-5 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JEAN B. CORRIELUS
PRIMARY EXAMINER

6-22-06

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/18/2006 has been entered.

Response to Arguments

2. Applicant's remarks filed 04/18/2006, have been fully considered and as a result claims 7-8 are now indicated allowable. However, in the interest of compact prosecution in the case, an examiners amendment was considered necessary to correct for some minor deficiency in the claims 7 and 10. The examiners amendment follows;

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Ramyar M. Farid on 6/15/2006.

The application has been amended as follows:

IN THE CLAIMS:

Claims 7 and 10, line 12, after "second charge pump according to the phase error" -- detected by the second phase detector -- has been inserted.

Claim 10, last line, after "second delay circuit so as to reduce the phase error" -- detected by the third phase detector -- has been inserted.

Reasons for Allowance

4. Applicant's remarks, see pages 2-4, filed 04/18/2006, with respect to the rejection of claims 7-8, have been fully considered and are persuasive. The rejection of claims 7-8 has been withdrawn.

5. Claims 7-8 and 10-12 allowed.

6. The following is an examiner's statement of reasons for allowance:

The prior art reference, Miyashita (USP 5,889,828), is cited because it is pertinent to clock reproduction and clock circuit. The claims 7-8 and 10-12 are allowable over the prior art since the cited reference taken individually or in combination with other claimed limitations, even though discloses a phase detector comprise of two phase detectors (fig. 7), however, fails to particularly disclose a means for controlling a transition characteristics of the data signal itself according to an output of one of the first and second phase detectors for affecting control of a transition characteristic of the data signal and not just the clock signal. Miyashita, however, also fails to disclose a first delay circuit inserted in a data input path of the second phase detector; a second delay

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circuit inserted in a clock input path of the second phase detector; a third phase detector for detecting a phase error in an output of the second delay circuit with respect to an output of the first delay circuit and adjusting a delay amount of the first or second delay circuit so to reduce the phase error.

Such limitations as recited in claims 7 and 10 are neither anticipated nor rendered obvious by the prior art of record.

Claims 8 and 11-12 are allowed by virtue of their dependency to independent claims highlighted above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qutub Ghulamali whose telephone number is (571) 272-3014. The examiner can normally be reached on Monday-Friday, 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

QG

QG.

June 13, 2006.

Examiner,
AU-2611.


JEAN B. CORRIELUS
PRIMARY EXAMINER

6.22.06